

App. No. 09/938,443
Amendment B
Page 10

R E M A R K S

Reconsideration of the present application in view of the amendments and following remarks is respectfully requested. Claims 1 and 13 have been amended. Twenty-seven claims are pending in the application: Claims 1 through 27.

Examiner Interview Summary

1. Per 37 CFR § 133(b), the following is a brief summary of the Examiner interview conducted on August 2, 2005 via telephone between Georgann S. Grunebach (Reg. No. 33,179), Attorney of Record, Martin R. Bader (Reg. No. 54,736) and Examiner Olga Hernandez.

At the outset, Applicant would like to thank the Examiner for her time during the interview. During the interview, independent claim 1 was discussed in view of U.S. Patent Application No. 2002/0178361 (Genty et al.). There were no exhibits shown. Applicant presented arguments that Genty et al. did not teach or suggest "automatically transmitting VPN configuration details to said client-side system, where said VPN configuration details include said security settings." The Examiner stated that her position was that "VPN configuration details" could be interpreted as broadly as the "security parameters" described in paragraph 0015 of Genty et al. Applicants presented arguments that step 425 of Fig. 4 and the corresponding description specifically teaches away from the claimed method. No agreements were reached during the interview.

35 U.S.C. ' 102

App. No. 09/938,443

Amendment B

Page 11

2. Claims 1-22 and 25-27 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2002/0178361 (Genty et al.).

M.P.E.P Section 2131 states that "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Genty et al. disclose a Virtual Private Network (VPN) that includes a system and method for dynamically determining a Certificate Revocation List (CRL) location and protocol. The Examiner has cited figures 1 and 2 in Genty et al. in order to support the present rejection. Figure 1 is a diagram showing a single computer 100 using multiple tunnels to communicate with various virtual private networks (VPNs). Computer system 100 uses the Internet 110 to communicate to computer using three VPNs. The different tunnels can used different authentication means to secure data. The authentication means are, for example, a pre-shared key, a public key, or a digital certificate. Thus, data can be transferred from the computer 100 to a computer within one of the VPNs in a secure manner. Figure 2 is a diagram showing tunnels being created between a computer 200 and a plurality of other computers 230, 240, 250 and 260. The computer has access to the VPN configuration database 210 which stores identification information about the computers 230, 240, 250 and 260.

In contrast, Applicants' claim 1 recites "receiving data at a service provider system indicative of a selected server-side system and a selected client-side system between which a VPN is to be established; automatically determining security setting at the service provider system for said client-

App. No. 09/938,443

Amendment B

Page 12

side system based at least partially on said data; and automatically transmitting VPN configuration details from the service provider system to said client-side system, where said VPN configuration details include said security settings, such that in use said client-side system is automatically configured with said VPN configuration details to establish a secure VPN tunnel between said client-side system and said server-side system."

Applicant's amended claim 1 specifically recites three separate systems: a service provider system, a client-side system and a server-side system. The service provider system is used for remotely configuring a Virtual Private Network (VPN) between the client-side system and the server-side system. The system shown in Figures 1 and 2 of Genty et al. do not include the service provider system. The system of Genty et al. disclose establishing a VPN between two computers, but as described previously, does not teach or suggest automatically configuring a client-side system in order to establish a secure VPN tunnel. Applicant has amended claim 1 to clarify that the service provider system transmits the VPN configuration details to the client side system. Genty et al. teaches the computer 200 establishing a VPN directly with computer 230. The computer 200 has access to the configuration database which includes a list of previously configured tunnels (See Genty et al. paragraph [0042]). The disclosed system of Genty et al. does not include the claimed service provider system.

Therefore, Genty et al. does not teach each and every element as set forth in claim 1. Thus, Applicant respectfully submits that claim 1 is not anticipated by Genty et al.

App. No. 09/938,443

Amendment B

Page 13

Furthermore, claims 2-12 are also not anticipated by *Genty et al.* at least because of their dependency upon claim 1.

Similarly to claim 1, amended claim 13 recites "instructions for receiving data at a service provider system indicative of a selected server-side system and a selected client-side system between which a VPN is to be established; instructions for automatically determining security settings for said client-side system based at least partially on said data; and instructions for automatically transmitting VPN configuration details from said service provider system to said client-side system, where said VPN configuration details include said security settings." Thus, for the same reasons as stated above with reference to claim 1, claim 13 is also not anticipated by *Genty et al.* Furthermore, claims 14-17 are also not anticipated by *Genty et al.* at least because of their dependency upon claim 12.

Similarly to claim 1, claim 18 recites "receiving at a modem within said client-side system, VPN configuration details from a service provider system, where said VPN configuration details include security settings for establishing a VPN with a remote server-side system; and automatically configuring said modem, with said VPN configuration details, such that in use a secure VPN tunnel can be established between said client-side system and said server-side system." Similarly to as stated above, *Genty et al.* does not teach or suggest a service provider system. Thus, for the same reasons as stated above with reference to claim 1, claim 18 is also not anticipated by *Genty et al.* Furthermore, claims 19-21 are also not anticipated by *Genty et al.* at least because of their dependency upon claim 18.

App. No. 09/938,443

Amendment B

Page 14

Similarly to claim 1, claim 22 recites "a client-side network comprising: a modem that communicates with the internet; and at least one client computer electrically coupled to said modem; a server-side network comprising: a VPN concentrator that communicates with the internet; and at least one server electrically coupled to said VPN concentrator; and a service provider network comprising: a security generator for automatically determining security settings used to secure VPN communication between said client computer and said server; a VPN synchronizer for automatically configuring said modem with said security settings; and a modem synchronizer for automatically configuring said modem with said security settings." Similarly to as stated above, Genty et al. does not teach or suggest a service provider. Thus, for the same reasons as stated above with reference to claim 1, claim 22 is also not anticipated by Genty et al. Furthermore, claims 23-27 are also not anticipated by Genty et al. at least because of their dependency upon claim 22.

Therefore, Applicants respectfully submit that all of the rejections are overcome and claims 1-22 and 25-27 are in condition for allowance.

App. No. 09/938,443

Amendment B

Page 15

35 U.S.C. '103

3. Claims 23 and 24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0178361 (*Genty et al.*).

As stated above with reference to claim 22, *Genty et al.* does not teach or suggest the limitations of claim 22. Namely, *Genty et al.* does not teach or suggest "a security generator for automatically determining security settings used to secure VPN communication between said client computer and said server; a VPN synchronizer for automatically configuring said modem with said security settings; and a modem synchronizer for automatically configuring said modem with said security settings." Thus, claim 22 is not rendered obvious by *Genty et al.* Therefore, claims 23 and 24 are also not rendered obvious by *Genty et al.* at least for the reasons stated above. Thus, Applicants respectfully submit the rejection is overcome and claims 23 and 24 are in condition for allowance.

App. No. 09/938,443

Amendment B

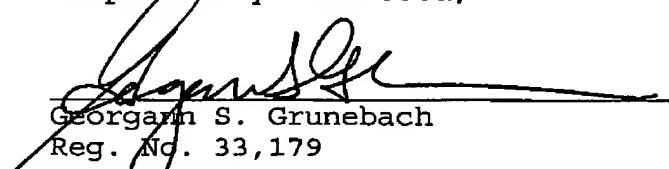
Page 16

C O N C L U S I O N

In view of the above, Applicants submit that the pending claims are in condition for allowance, and prompt and favorable action is earnestly solicited. Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Georgann S. Grunebach at (310) 964-4615 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Dated: September 12, 2005


Georgann S. Grunebach
Reg. No. 33,179

Address all correspondence to:
The DIRECTV Group, Inc.
RE/R11/A109
P.O. Box 956
2250 E. Imperial Highway
El Segundo, CA 90245

Telephone No. (310) 964-4615